

REMARKS

In the Office Action mailed June 17, 2003 claims 1–18 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,484,149 to *Jammes et al* in view of U.S. Patent No. 6,560,591 to *Memmott et al*. In addition, claims 19–26 were rejected under 35 U.S.C. § 103(a) over *Jammes* in view of *Memmott* and further in view of U.S. Patent No. 6,115,705 to *Larson*.

Claims 1–26 remain pending in the application. Reconsideration and withdrawal of the rejections are respectfully requested in view of the remarks that follow.

A. Rejection of Claims 1–18 Under 35 U.S.C. § 103(a) is Addressed.

Claims 1–18 were rejected under 35 U.S.C. §103(a) over *Jammes* in view of *Memmott*. The rejection is respectfully traversed because *Jammes* and *Memmott* lack all the elements of the claims, and even if they did describe every element, one of skill in the art would have no motivation to combine them to make the present invention.

To establish a case of *prima facie* obviousness under § 103, all claim limitations must be taught or suggested by the prior art. See MPEP § 2143.03. In this case, claims 1, 8 and 13 include “queries corresponding to said data access requests” and at least one “query lookup table, containing said queries.” The references, either alone or in combination, do not teach or suggest a query lookup table that contains queries corresponding to data access requests.

Jammes does not mention query lookup tables or any kind of query interface process, simply noting that “[m]ethods of providing such common query interfaces are not within the scope of this invention and will not be further discussed.” See *Jammes*, col. 8, lines 57–59. *Memmott* makes a single mention of a lookup table (col. 5, lines 14–17), but that lookup table does not store queries and has a completely different function than the present invention.

The invention in *Memmott* is a database search system where databases are searched in the order they are listed on a priority list. See *Memmott*, col. 4, lines 10–21. Databases that are predicted to generate more relevant responses to the query are given a higher priority in a priority list. See *id.*

A priority list for a particular query is selected by breaking down the query into “query characteristics” and developing associations between the query characteristics and an appropriate priority list. See *Memmott*, col. 3, lines 34–36. While query characteristics may describe some aspect of a complete database query (e.g., characteristics of the information requested or the subject matter of the query), query characteristics are not actual queries.

The lookup table in *Memmott* is used to select a database priority list based on a query characteristic. See *Memmott*, col. 5, lines 11–17. The lookup table stores database priority lists, not queries, and does not even use an actual query to select a database priority list. Moreover, the lookup table is described in *Memmott* as an inferior alternative to other kinds of decision structures for selecting database priority lists because it consumes much more storage area. See *id.* Thus, not only does the lookup table in *Memmott* lack queries, it's described as an inferior alternative for storing and searching information.

The mere fact that references can be combined or modified does not render the resultant combination obvious under § 103 unless the prior art also suggests the desirability of the combination. See MPEP § 2143.01. One of skill in the art would have no motivation to make a query lookup table containing database queries by reading the combination of *Jammes*, which simply states that query interface methods are beyond the scope of the invention, with *Memmott*, which characterizes lookup tables as an inferior way to store and search information. Thus, even if *Jammes* and *Memmott* described all the elements of claims 1, 8 and 13, which they do not, the lack of motivation to combine the references still makes the rejection unsupported by the art.

In summary, *Jammes* and *Memmott* lack every element of claims 1, 8 and 13 and, in addition, provide no motivation make the present invention by combining the references. Claims 2–7, 9–12 and 14–18, which depend from claims 1 8 and 13, respectively, include all their limitations as well. Accordingly, withdrawal of the rejection of claims 1–18 under 35 U.S.C. § 103(a) over *Jammes* in view of *Memmott* is respectfully requested.

B. Rejection of Claim 19–26 Under 35 U.S.C. § 103(a) is Addressed.

Claims 19–26 were rejected under 35 U.S.C § 103(a) over *Jammes* in view of *Memmott*, and further in view of *Larson*. The rejection is respectfully traversed for at least the reasons noted above.

Claims 19 and 22 include “queries corresponding to said data access requests” at least one “query lookup table, containing said queries in hashed form.” Neither *Jammes* nor *Memmott* include a query lookup table that contains queries corresponding to data access requests in any form, and *Larson* does not remedy this deficiency. Claims 20–21, and 23–26 depend from claims 19 and 22, respectively, and include all their limitations. Accordingly, withdrawal of the rejection of claims 19–26 under 35 U.S.C. § 103(a) over *Jammes* in view of *Memmott*, and further in view of *Larson* is respectfully requested.

C. Conclusion

In view of all of the above, claims 1–26 are believed to be allowable and the case in condition for allowance, which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact our office at the telephone number listed below.

No fee is believed to be required by this response. Should any additional fees be required, please charge Deposit Account 50-1123. Should any extension of time be required, please consider this a petition therefore and charge the required fee to Deposit Account 50-1123.

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Amdt. Dated August 19, 2003
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Respectfully submitted,

August 19, 2003

A handwritten signature in cursive script, appearing to read "Eugene J. Bernard", written over a horizontal line.

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